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SUBJECT: RESPONSE TO INQUIRY RE. CLAIMS FACILITY FOR CAMEL
JOCKEYS

REF: STATE 86406

1. (U) At request of Department (reftel), Post has requested information from the GOB on the facility being set up by the United Arab Emirates (UAE) to compensate camel jockeys. Post addressed Department's questions to the Ministry for Home Affairs (MOHA), which oversees anti-trafficking programs and represents the GOB on the camel jockey issue.

2. (U) MOHA provided background on the agreement. The memorandum of understanding (MOU) was signed between the UAE government and GOB on April 25, 2007. The MOU covers the period going back to 1993, and all camel jockey victims will be eligible to apply for compensation for mental and physical injuries. A board consisting of the MOHA (Bangladesh) and Ministry of Interior (UAE) will be formed to make decisions on the eligibility of compensation claims.

3. (U) Answers to Department's questions follow:

(A) Does the GOB expect all former camel jockeys to use the compensation process established in the MOU?

Yes, the GOB expects this.

(B) If a former child camel jockey does not pursue compensation through the MOU claims process, does the MOU permit the child or his parents to seek compensation through Bangladeshi, UAE, or third country courts?

This is still under review by the GOB.

(C) If a former child camel jockey requests but is denied compensation through the MOU claims process, does the MOU permit the child or his parents then to seek compensation in Bangladeshi, UAE or third country courts?

This is still under review by the GOB.

(D) If a former child camel jockey requests and receives compensation that he or his parents believe is inadequate, does the MOU permit the child or his parents then to seek additional compensation through Bangladeshi, UAE, or third country courts?

This is still under review by the GOB.

(E) If the claims facility does not in fact operate in accordance with the MOU, will court actions that would otherwise be barred by the MOU become permissible?

Yes, if the process does not operate in accordance with the MOU, the GOB would reserve the right to take other court action.

(F) What steps is the government taking to ensure child camel jockeys are aware of the claims process?

MOHA is currently preparing a list of all camel jockeys to inform them of this process. They are also setting up "service centers" at the district level, and are convening a meeting of deputy commissioners (local government officials) to explain the MOU and the procedure. A technical committee, chaired by the deputy commissioner, will review and verify claims at the local level.

(G) Would a lawsuit seeking compensation for former child camel jockeys have any impact on implementation of the claims facility or of the UAE-UNICEF program in your country?

The GOB did not indicate an official position on this.

(H) Has the administrative board been constituted yet?

The GOB is in the process of constituting the board.
PASI